UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,712	09/12/2003	Paul E. Reilly	P1584C3-946	7648

7590   03/08/2006

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EXAMINER
PATEL, NIKETA I

ART UNIT	PAPER NUMBER
2181	

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		10/660,712	REILLY, PAUL E.
		Examiner	Art Unit
		Niketa I. Patel	2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 October 2005</u>.

2a)☒ This action is **FINAL.** 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>13-21</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>13-15, 19-22</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>9/12/2003</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>9/12/2003</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Drawings

1.   Figure 1 should be designated by a legend such as --Prior Art-- because only that which is

old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR

1.121(d) are required in reply to the Office action to avoid abandonment of the application. The

replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR

1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted

by the examiner, the applicant will be notified and informed of any required corrective action in

the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 13-15 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nomura U.S. Patent Number: 5,113,355 (hereinafter "*Nomura*") and further in view of Salgado

U.S. Patent Number: 5,579,087 (hereinafter "*Salgado*".)

4.   **Referring to claims 13, 19 and 21,** *Nomura* teaches a network printer system

comprising: a printer connected to a network for receiving and printing print jobs in response to

print requests from host computers [see figure 1, element 2], said printer including a localized

print queue for storing job information for each of said host computers attempting to gain print

access of said printer [see figure 1, element 1; the printer 2 includes a localized print queue 3 in a

printer control system 1.] *Nomura* does not teach a facility for establishing communications with

a host computer from which a particular print request had been received for the purpose of

requesting print job content when said particular print request has reached the ton of said

localized print queue, however teaches *Salgado* this limitation [see *Salgado* column 4, line 7-14,

'printer 11 and user interface 40 displayed on the printer'; column 5, lines 30-65, the user

interface allows a user to enter the location of data and the user interface retrieves the data form

the entered location] in order to allow user to bind print data from various locations and print it

as a single document.

One of ordinary skill in the art at the time of applicant's invention would have clearly

recognized that it is quite advantageous for the system of *Nomura* to be able to include a facility

for establishing communications with a host computer from which a particular print request had

been received for the purpose of requesting print job content when said particular print request

has reached the ton of said localized print queue, in order to allow user to bind print data from

various locations and print it as a single document. It is for this reason that one of ordinary skill

in the art would have been motivated to implement system of *Nomura* with a facility for

establishing communications with a host computer in order to allow user to bind print data from

various locations and print it as a single document.

5.   **Referring to claim 14**, teachings of *Nomura* as modified by the teaches of *Salgado*,

teaches wherein said printer initiates a print connection with one of said host computers

corresponding to said job information at a top of said localized print queue when said printer

becomes available [see figure 1, element 10; printer communicates print connection with a host

computer via network.]

6.   **Referring to claim 15**, teachings of *Nomura* as modified by the teaches of *Salgado,*

teaches further comprising a plurality of network services protocol/ports for connecting between

said host computers and said printer [see figure 1, element 10; printer 2 communicates via

network 10 with other networked computers using network and printing protocols.]

7.   **Referring to claim 20**, teachings of *Nomura* as modified by the teaches of *Salgado,*

teaches wherein said localized print queue stores job information for each of said host computers

attempting to gain print access of said printer [see figure 1, elements 3,1-3.]

8.   Claims 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nomura U.S.

Patent Number: 5,113,355 (hereinafter *"Nomura"*), Salgado U.S. Patent Number: 5,579,087

(hereinafter *"Salgado"*) and further in view of IBM Technical Disclosure Bulletin, TDB-ACC-

No: NN8506154, 'Method to manipulate the Print Queue for Displaywrite2' (hereinafter *"IBM".*)

9.   **Referring to claim 22**, teachings of *Nomura* as modified by the teaches of *Salgado,*

teaches limitations of claim 21, however does not set forth the limitation of further comprising

the step of re-ordering said localized queue according to one or more predetermined criteria. *IBM*

teaches to re-order a localized queue according to one or more predetermined criteria [see

paragraphs 1, 3 'reordered queue'] in order to allow a user to delete a job form the queue, add a

job to the queue and/or change the printing order of the jobs in the queue.

        One of ordinary skill in the art at the time of applicant's invention would have clearly

recognized that it is quite advantageous for the system of *Nomura & Salgado* to be able to re-

order a localized queue according to one or more predetermined criteria, in order to allow a user

to delete a job form the queue, add a job to the queue and/or change the printing order of the jobs

in the queue. It is for this reason that one of ordinary skill in the art would have been motivated

to implement system of *Nomura & Salgado* with the ability to reorder the localized queue, in

order to allow a user to delete a job form the queue, add a job to the queue and/or change the

printing order of the jobs in the queue.

Allowable Subject Matter

10.   Claims 16-18 are objected to as being dependent upon a rejected base claim, but would

be allowable if rewritten in independent form including all of the limitations of the base claim

and any intervening claims.

11.   The following is a statement of reasons for the indication of allowable subject matter: the

prior art of record does not teach or fairly suggest wherein the network services protocol/ports

comprise imaging device protocol (IDP) ports and non-IDP ports, in combination with the

limitations sited in the base claims and the limitations sited in all the intervening claims.

Response to Arguments

12.   Applicant's arguments with respect to claims 13-22 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Niketa I. Patel whose telephone number is (571) 272 4156. The

examiner can normally be reached on M-F 8:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kim Huynh can be reached on (571) 272 4147. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NP
03/03/2006

KIM HUYNH
SUPERVISORY PATENT EXAMINER

3/3/06